

**ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD
July 11, 2003**

Chairman Don Smith called the meeting to order at 9:05 a.m.

Roll call was taken and the following members were present: Don Smith, Frank Sturgeon, Eugene Reynolds and Marc Oudin. Phyllis Carruth, Gary Edwards, and Xollie Duncan were absent. Also present were Assistant Attorney General Alice Lightle, Hearing Officer Karen Kennedy, Executive Director, Linda Longstreth, Board staff and members of the audience.

Following a review of the Board Minutes for June 13, 2003. Sturgeon moved to approve. Oudin seconded. Motion carried.

OLD BUSINESS

License Approvals:

Eleven (11) non-controversial license applications and ten (10) non-controversial tentative license application were submitted for Board approval. Longstreth informed the Board that there were two (2) controversial license applications and asked that they address the regular license approvals prior to submission of the controversial items. Sturgeon moved to approve the listed license approvals and tentative license approvals. Oudin seconded. Motion carried

Controversial License/Vera Wilson:

Longstreth reminded the Board that the license application for Vera Wilson was presented for approval at the June 13, 2003 Board meeting and that the Board had denied the license. Subsequent to that denial, Ms. Wilson requested to be heard by the Board on the record; therefore, she was being presented as controversial. Ms. Wilson and Mr. Nickolich, owner of Exit Bail Bond Co., Inc., came forward to respond to questions. After questions, substantial discussion, the insertion of a licensing objection from Chief Percy Wilburn, Lake Village Police Dept. and the introduction of an active warrant on Ms. Wilson from McGehee Police Dept, Sturgeon moved to deny the bail bond license because of the active warrant and the letter from Chief Percy Wilburn. The motion died for lack of a second. Oudin moved to table the license application until August 8, 2003, to allow Ms. Wilson an opportunity to clear the warrant and the issues with the Chief. Reynolds seconded. Motion carried. Sturgeon objected.

Controversial License/Christopher Reed:

The Board was informed that the application of Christopher Reed was being presented as controversial because Mr. Reed had been licensed previously by Ms. Longstreth's predecessor. The licensing procedure had changed to require Board approval. The FBI returned Christopher Reed's fingerprint report showing two (2) infractions. One of the charges was from his service in the U.S. Navy and resulted in a bad conduct discharge. Mr. Reed and his Legal Counsel, Mr. Ricky Hicks, were present and came forward to respond to questions. After questions and discussion concerning the charges, Sturgeon moved to deny the bail bond license of Christopher Reed. The motion died for lack of a second. Reynolds moved to license Mr. Reed. A roll call vote was taken to determine whether Mr. Reed would be licensed. Sturgeon – No, Reynolds – Yes, Oudin – Yes, Smith – Yes. License was approved.

Forfeitures:

The Forfeiture Report was provided for the Board's information. Renny's Bail Bond Co. had a past due, which was heard by the Courts on June 6, 2003. The judgment was appealed to the Court of Appeals and a supersedeas bond posted. All others are either current or in litigation. Longstreth requested that the Board vote to suspend the bail bond company license of those companies listed with forfeitures due and payable between July 11, 2003 and August 8, 2003. Sturgeon moved to suspend the bail bond company license of any company with forfeitures due and payable between July 11, 2003 and August 8, 2003, if the company fails to pay by close of business on the day the forfeiture is due. Oudin seconded. Motion carried.

Attorney General's Opinion 2003-092:

Attorney General's Opinion 2003-092 was introduced and the Board reminded that it had been included on the July 2003 Agenda and that the Board decided to comply with the opinion and require that bail bondsmen relinquish either their bail bond license or their civil service process registration. Longstreth advised that she was asked to place the issue back on the agenda to determine whether there was any recourse available other than that taken in June. After discussion, Oudin moved to request a re-consideration of the opinion from the Attorney General. Reynolds seconded. Motion carried. Longstreth was further instructed to pursue information concerning the legality of the same person owning a bail bond company and an electronic monitoring/tracking company and/or an interlock device company.

NEW BUSINESS**June Vouchers Paid:**

Longstreth presented the June vouchers paid and offered to respond to questions. There being none, the Board proceeded.

New Company/Fair Deal Bail Bonding, Inc. :

Longstreth introduced the bail bond company application of Fair Deal Bail Bonding, Inc. and advised that the licensing information was included in the packet for Board review. Mr. Gerren Shader and Fair Deal Bail Bonding, Inc. legal counsel, John Bryant, were available to respond to Board questions. After discussion and questions, Oudin moved to approve the company license of Fair Deal Bail Bonding, Inc. Sturgeon seconded. Motion carried.

Security Releases:

Longstreth advised the Board that there are security deposits that probably should have been released previously and requested that the Board approve the release as follows:

- (a) A Quick Bail Bonding, Inc. was owned by Dr. Smith who came before the Board and asked that the Board revoke the company license granted to him. There have been no forfeiture judgments presented and the final communication from Dr. Smith indicates that all the liability incurred by the company has been resolved. Longstreth requested that the Board approve the return of the original letter of credit to the bank. Sturgeon moved to return the letter of credit to the bank. Reynolds seconded. Motion carried.
- (b) Arkansas Mallard Bail Bonds, Inc. was in the bail bonding business for approximately five (5) weeks and wrote a total of twenty (20) bonds. The owners of Arkansas Mallard Bail Bonds, Inc. returned the bail bond company license and opted to get out of the bail bond business. They requested that their letter of credit be returned. There has been no issues concerning the company. Sturgeon moved to return the letter of credit. Reynolds seconded. Motion carried.

(c) Bill's Bail Bond Company was in business and a Certificate of Deposit posted in 1992. Longstreth reminded the Board that the security deposit held was originally posted by a gentleman named Burnett who is currently in prison. It was alleged that the CD was posted by Mr. Burnett under a fictitious name. The federal authorities previously attempted to attach the security prior to realizing that it was assigned to the Board. There has been no issues involving anything for which the Board might attach the CD in the past eight (8) years; therefore, Longstreth requested that the Board release the CD to be returned to the financial institution. Sturgeon moved to return the Certificate of Deposit. Reynolds seconded. Motion carried.

Public Comments:

Chairman Smith asked for Public Comments. There being none the meeting was adjourned to the hearing.

Submitted for approval:

This 8th day of August, 2003 _____
Chairman